

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

BRYAN REPETTO,)	
)	
Plaintiff)	
)	
v.)	Civil Action No. 08-CV-101
)	
ST. MATTHEW'S UNIVERSITY, INC.)	
)	
Defendant)	

**PLAINTIFF'S CONSENTED-TO MOTION TO ENLARGE TIME, WITH
INCORPORATED MEMORANDUM OF LAW**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Plaintiff Bryan Repetto, with the consent of Defendant St. Matthew's University, Inc., moves this Court to enlarge the time provided for all deadlines set forth in the Scheduling Order by one month. The grounds for this Motion are as follows:

1. The Court issued its Scheduling Order on April 29, 2008. Pursuant to that Order, the parties exchanged their initial disclosures approximately one month later, and intended to begin discovery shortly thereafter.

2. During the late winter and throughout the spring of 2008, Plaintiff's counsel experienced difficult family circumstances which impacted her ability to work. Plaintiff's counsel spent substantial periods away from her practice during this time while she addressed her family needs, including her personal health.

3. As a result of these circumstances, Plaintiff's counsel was unable to begin discovery in this matter promptly, as she had intended.

4. The deadline for amendment of pleadings and joinder of parties currently is set for July 15, 2008. Because no discovery has yet taken place to enable the potential discovery of additional parties or potential claims, Plaintiff's counsel contacted Gail Cornwall, Esq. (formerly Gail Abbey, Esq.), counsel for Defendant, and requested an extension of that deadline.

5. After consultation, the parties agreed that the best approach would be to seek the extension of all pending deadlines, up to and including the deadline for filing dispositive motions.

6. The parties therefore propose the following schedule to the Court:

- a. deadline for amendment of pleadings and joinder of parties: August 15, 2008;
- b. deadline for Plaintiff to designate experts: August 15, 2008;
- c. deadline for Defendant to designate experts: September 19, 2008;
- d. deadline to complete discovery: October 30, 2008; and
- e. deadline for filing dispositive motions: November 21, 2008.

7. This proposed schedule permits Plaintiff's counsel to conduct discovery as necessary before the deadline for amendment of pleadings and joinder of parties, without prejudicing Defendant by shortening the time between any such amendment or joinder and the close of discovery.

8. Pursuant to the current Scheduling Order, the parties are expected to be ready for trial on February 2, 2009. The proposed amendments to the Scheduling Order will not cause a delay in the trial of this matter.

9. Undersigned counsel has consulted with Defendant's counsel, Gail Cornwall, Esq., who consents to the relief requested in this motion.

WHEREFORE, Plaintiff respectfully requests that this Court enlarge the deadlines pending in the Scheduling Order issued on April 29, 2008, by one month, as outlined above.

Dated: July 10, 2008

/s/ Barbara L. Goodwin
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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2008, I electronically filed the following document(s):

- 1) PLAINTIFF'S CONSENTED-TO MOTION TO ENLARGE TIME, WITH INCORPORATED MEMORANDUM OF LAW

with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

GAIL CORNWALL, ESQ. – gcornwall@eapdlaw.com

and I hereby certify that on July 10, 2008, I mailed by U.S. Postal Service, the document(s) to the following non-registered participants:

None.

/s/ Barbara L. Goodwin
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